

REMARKS

Favorable consideration and allowance of claims 20-21 and 23-38 are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 19-30, 32, 34, 37 and 38 have been rejected under 35 U.S.C. § 102(e) as anticipated by Kuenzner et al. (U.S. 7,225,413), while claims 31 and 33 have been rejected under 35 U.S.C. § 103(a) as being obvious over Kuenzner in view of Okonkwo (U.S. 2007/0158448). In addition, claims 35 and 36 have been rejected under 35 U.S.C. § 103(a) as being obvious over Kuenzner in view of Noguchi et al. (U.S. 6,903,652). Applicants respectfully traverse these rejections, for the reasons set forth below.

By the foregoing amendment, claim 19 has been amended to include the features of claim 22. Also, claim 24 has been rewritten in independent form, claim 22 has been cancelled, and, accordingly, the dependency of claim 23 has been changed.

Applicants submit that Kuenzner does not teach or suggest the feature of amended claim 19 that “the at least one first entry is in the form of the line strip including a plurality of lines, with each line representing a selectable subentry of the same type.” This feature is illustrated, for example, in Figure 4 of the application. In particular, a first entry E9 is illustrated in the form of a line strip including a plurality of lines, each line representing a selectable subentry of

the same type. As described in paragraph [0041] of the specification, a cursor may be in the form of a vertical bar 231.1 in the first entry E9, as illustrated in Figure 4, where the vertical bar 231.1 is located on the seventh subentry.

With regard to this feature of the claim, the Office Action refers to Figure 2 of Kuenzner, where the entries “audio,” “navigation” and “TV” are arranged horizontally. Applicants respectfully disagree, however, with the interpretation of Kuenzner as set forth in the Office Action. In particular, Figure 2 does not illustrate a line strip including a plurality of lines with each line representing a selectable subentry of the same type. Instead, Kuenzner simply illustrates various menu items along the outer edge of the display 1. Although the display in the outer portion is shown with cross hatching, the cross hatching is merely a drafting convention that indicates a separate portion of the display from the center portion of the display. The marginal region 2 of the display screen is shown at the outer portion of the screen, and the central region 3 of the display screen is enclosed by the marginal region 2. *See, e.g., Abstract.* Kuenzner does not appear to disclose or suggest the line strip as claimed in amended claim 19. Therefore, claim 19 is patentable over Kuenzner.

Claims 20, 21, 23, 27-29, 37 and 38 are patentable due to their dependence from claim 19.

Claim 23 is patentable over Kuenzner for the additional reason that the reference fails to teach or suggest the feature that “the at least one first entry is

set by a cursor which is in the form of a bar and which is positioned on one of the lines using the manual operating means by operating with the first or second degree of freedom.” As described in paragraph [0041] of the specification, for example, the cursor which is in the form of a bar is illustrated as element 231.1, which shows the cursor being positioned at the seventh subentry of the line strip E9 of Figure 4.

With regard to this feature and the claims, the Office Action refers to Figure 4 of Kuenzner, in which “audio” is selected. The absence of crosshatching in Figure 4 illustrates that the menu item “audio” has been selected by the user. However, the selection of “audio” does not correspond to the bar which is positioned on one of the lines of the line strip, as claimed in claim 23. Instead, Kuenzner merely discloses that when a menu item is selected, its appearance on the screen differs from that of the unselected menu items. Kuenzner does not disclose a line strip or a bar positioned on one of the lines of the line strip. Therefore, claim 23 is patentable over Kuenzner for this additional reason.

With regard to claim 29, Applicants respectfully submit that Kuenzner does not disclose that the at least one second entry activates or presents one of a “fast forward” function, a “fast rewind” function and a “station search” function within an audio application, a video application or a television application. With respect to this feature, the Office Action refers to Figure 2 of the reference where the central area of the display screen is shown displaying radio stations upon

selecting the audio menu. In other words, Kuenzner discloses that the user can select from among the displayed radio stations. However, this functionality does not correspond to any of the limitations in claim 29. For example, the station search function of claim 29 is not disclosed by the reference. Rather, Kuenzner discloses only the selection from among displayed radio stations, as opposed to searching for radio stations. Therefore, claim 29 is patentable over Kuenzner for this additional reason.

Applicants submit that Kuenzner does not teach or suggest that “the at least one second entry is in the form of a level indicator, the current level being presented by a cursor which is in the form of an alterable bar,” as recited in claim 24. This feature is illustrated, for example, in Figure 4 of the application. A second entry E10 is in the form of a level indicator, where the current level is shown by a cursor in the form of an alterable bar 231.2. The level indicator and alterable bar may indicate, for example, a portion of an audio track that has already been played back. *See paragraphs [0041]-[0042].*

The Office Action indicates that Figure 2 of Kuenzner discloses this feature of the claim, referring to the central area of the display screen being shown displaying radio stations upon selecting the audio menu. However, none of the displayed features of the display screen shown in Figure 2 corresponds to the level indicator and the alterable bar as claimed in claim 24. In particular, the figure does not disclose a level indicator or an alterable bar. Rather it simply

shows various menu items that can be selected, including a list of radio stations.

Therefore, claim 24 is patentable over Kuenzner.

Claims 25 and 26 are patentable over Kuenzner due to their dependence from claim 24.

Additionally, claims 25 and 26 are patentable over Kuenzner because the reference does not disclose or suggest that “the current level is set using the manual operating device by operating with the first and second degree of freedom and subsequently holding the manual operating device” or that “the level indicates a current position or an elapsed time period within the second entry.”

With regard to these features of the claims, the Office Action refers to column 3, lines 39-54 of Kuenzner. The cited portion of the reference, however, does not appear to disclose anything about current levels or current positions or elapsed time periods. Instead, the excerpt simply states that, if the “BC” menu item for the vehicle computer menu is selected, then a range function can be selected. If the range function is selected, the range of the vehicle (e.g., 225 km) will be displayed in the central region. Such a display, however, does not correspond to the current level, current position or elapsed time period claimed in claims 25 and 26, which show the level of the level indicator presented by a cursor in the form of an alterable bar as claimed in independent claim 24, from

which these claims depend. Therefore, claims 25 and 26 are patentable over Kuenzner for this additional reason.

Applicants submit that the prior art fails to teach or suggest all of the limitations of independent claim 30. Specifically, Kuenzner does not teach or suggest the feature of “an adjusting movement with a fifth degree of freedom for the manual operating device stores the altered first parameter and exits the active presentation area.”

The Office Action refers to column 3, lines 17-62 of Kuenzner where movement about the longitudinal axis is discussed. This excerpt provides that the rotary push button can be swiveled in the direction indicated by the arrow BC and that swiveling is accompanied by the display of different functions of a vehicle computer in a central region. In other words, Kuenzner simply discloses that if a menu item is selected it will be displayed.

By contrast, claim 30 of the present application claims that an altered first parameter is stored and an active presentation area is exited when an adjusting movement with a fifth degree of freedom is made by the manual operating device. As illustrated in Figure 5 of the present application, a parameter can be altered by an adjusting movement of a manual operating device and with an adjusting movement and a fifth degree of freedom of the main operating device the altered parameter is stored and the active presentation area (e.g., 230.2–230.6) is exited. Accordingly, rather than disclosing a system in which

parameters are adjusted and saved using the degrees of freedom of a manual operating device, Kuenzner simply discloses displaying selected menu items. Therefore, claim 30 is patentable over Kuenzner.

Claims 32 and 34 are patentable over Kuenzner due to their dependence from claim 30.

Claims 31 and 33 are patentable over Kuenzner and Okonkwo due to their dependence from claim 30, and because Okonkwo fails to make up for the deficiencies of Kuenzner.

Claims 35 and 36 are patentable over Kuenzner and Noguchi due to their dependence from claim 19, and because Noguchi fails to make up for the deficiencies of Kuenzner.

In view of the foregoing, Applicant submits that the present application is in condition for allowance and such action is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.57895US).

Respectfully submitted,

October 27, 2008



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